

1 MAUREEN E. MCCLAIN (State Bar No. 062050)
Email: mcclain@kmm.com
2 ALEX HERNAEZ (State Bar No. 201441)
Email: hernaez@kmm.com
3 KAUFF MCCLAIN & MCGUIRE LLP
One Post Street, Suite 2600
4 San Francisco, California 94104
Tel: (415) 421-3111
5 Fax: (415) 421-0938

6 Attorneys for Defendant
DOLLAR TREE STORES, INC.

7
8 BETH HIRSCH BERMAN (VA Bar No. 28091)
Email: bberman@williamsmullen.com
WILLIAMS MULLEN
9 Dominion Tower, Suite 1700
999 Waterside Drive
10 Norfolk, Virginia 23510
Telephone: (757) 629-0604
11 Facsimile: (757) 629-0660

12 *Pro Hac Vice* Attorneys for Defendant
DOLLAR TREE STORES, INC.

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 MIGUEL A. CRUZ, and JOHN D. HANSEN,
18 individually and on behalf of all others
similarly situated,

19 Plaintiffs,

20 v.

DOLLAR TREE STORES, INC.,
21 Defendant.

CASE NO. C 07 2050 SC

22 ROBERT RUNNINGS individually, and on
23 behalf of all others similarly situated,

24 Plaintiff,

25 v.

DOLLAR TREE STORES, INC.,
26 Defendant.

CASE NO. C 07 04012 SC

**DECLARATION OF BETH HIRSCH
BERMAN IN SUPPORT OF
DEFENDANT DOLLAR TREE
STORES, INC.'S MOTION FOR
SUMMARY JUDGMENT
[RUNNINGS]**

JUDGE: Hon. Samuel Conti
COMPLAINTS FILED: April 11, 2007
July 6, 2007
TRIAL DATES: No dates set.

1 I, Beth Hirsch Berman declare that:

2
3 1. I am a shareholder in the law firm of Williams Mullen, P.C., pro hac vice
4 counsel for Defendant Dollar Tree Stores, Inc. in the above-entitled action. I have
5 personal knowledge of the facts stated in this declaration and, if called as a witness,
6 would be competent to testify.

7 2. On December 12, 2007, I attended the deposition of Plaintiff Robert
8 Runnings. Attached hereto as Exhibit A is a true and correct copy of the relevant
9 portions of the transcript of that deposition and a true and correct copy of Exhibit 42 to
10 the deposition.

11 3. On November 13, 2007, I attended the deposition of Richard Tellstrom.
12 Attached hereto as Exhibit B is a true and correct copy of the relevant portions of the
13 transcript of that deposition.

14 I have read the attached declaration and do hereby declare, under penalty of
15 perjury under the law of the United States, that it is true and correct.

16 Executed on January 18, 2008 at Norfolk, Virginia.

17
18
19 
20 Beth Hirsch Berman

21
22
23
24
25
26
27 1242950v1